

Claims 1, 2, 4-6, 8 and 9-14 are presently pending in this application, Claims 3 and 7 having been canceled, Claims 1, 2, 8 and 9 having been amended, and Claims 10-14 having been newly added by the present amendment.

Claims 3, 8 and 9 were rejected under 35 U.S.C. §112, second paragraph, for being indefinite; Claims 1, 3 and 7-9 were rejected under 35 U.S.C. §102(b) as being anticipated by Llewellyn (U.S. Patent 4,748,993); Claims 2 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Llewellyn; and Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Llewellyn in view of Keeny et al. (U.S. Patent 6,018,000). Claims 1, 2, 8 and 9 have been amended and Claims 10-14 have been newly added herein. The claim amendment to Claim 1 is supported by original Claim 2, Claim 2 has been amended in view of the claim amendment to Claim 1, Claim 8 has been amended to remove the word "substantially," Claim 9 is supported by original Claims 1 and 2, and Claims 10-14 are supported by Claims 2, 4-6 and 8, respectively. Hence, no new matter has been added thereby.

Also, with regard to the rejection under 35 U.S.C. §112, second paragraph, Claim 3 has been canceled and Claims 8 and 9 have been amended to clarify the subject matter recited therein. Thus, Claims 8 and 9 are believed to be in compliance with the requirements of the statute. If, however, the Examiner disagrees with any of the claim amendments above, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive mutually satisfactory claim language.

Briefly recapitulating, Claim 1 of the present invention is directed to a dish rack for a dishwasher, including a frame, and a coating covering the frame and having a surface roughness of $R_z \geq 5 \mu\text{m}$. By providing such a coating, the dish rack according to Claim 1 of

the present invention distributes water over the surface of the coating in a film sufficiently thin to evaporate with a small amount of heat.¹

Llewellyn discloses a rack for holding nipples in a dishwasher. Nevertheless, Llewellyn does not teach a coating covering the frame and having a surface roughness of $R_z \geq 5 \mu\text{m}$, as recited in amended Claim 1. Llewellyn only discloses “said rods are formed of elastomeric material encapsulated wire,”² and nowhere does Llewellyn disclose or suggest the elastomeric material and its surface in detail. Furthermore, the Office Action asserts that “it would have been obvious ... to have fabricated the frame having a coating with a low surface roughness ... through routine experimentation and optimization, to increase the flow of water off of the frame” On the contrary, Applicants have discovered that by providing a certain micro-roughness on the surface of the coating, water is distributed over the surface of the coating and becomes thin films, not drops, on the surface of the coating, thereby evaporated by a small amount of heat. Therefore, the structure recited in Claim 1 is believed to be distinguishable from Llewellyn.

Likewise, Keeny et al. only disclose mixtures of thermoplastic vinylidene fluoride based resins and polyamide resins to be coated on various wire goods, and nowhere do Keeny et al. teach a coating covering the frame and having a surface roughness of $R_z \geq 5 \mu\text{m}$, as recited in amended Claim 1. As such, the structure recited in Claim 1 is also believed to be distinguishable from Keeny et al.

¹ Specification, page 3, lines 6-22.

² Llewellyn, Claim 10.

Because neither Llewellyn nor Keeny et al. disclose the coating as recited in Claim 1, even the combined teachings of these applied references would not render the structure recited in Claim 1 obvious.

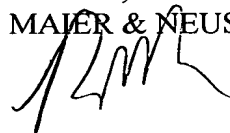
Because independent Claim 9 includes subject matter substantially similar to what is recited in Claim 1 to the extent discussed above, Claim 9 is also distinguishable from Llewellyn and Keeny et al.

For the foregoing reasons, Claims 1 and 9 are believed to be allowable. Additionally, since Claims 2, 4-6, 8 and 10-14 ultimately depend from either Claim 1 or 9, substantially the same arguments set forth above also apply to these dependent claims. Hence, Claims 2, 4-6, 8 and 10-14 are believed to be allowable as well.

In view of the amendments and discussions presented above, Applicants respectfully submit that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Robert T. Pous
Registration No. 29,099
Attorneys of Record



22850

Tel: (703) 413-3000
Fax: (703) 413-2220
GJM/RTP/AY:si
I:\ATTY\AKY\19s\197934\ame.wpd

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IN THE CLAIMS

Please cancel Claims 3 and 7 without prejudice, and amend Claims 1, 2, 8 and 9 as follows:

- 1. (Amended) A dish rack for a dishwasher, comprising:

a frame; and

a coating covering said frame and [configured to distribute water over a surface of said coating in a thin film] having a surface roughness of $R_z \geq 5 \mu\text{m}$.
2. (Amended) The dish rack according to Claim 1, wherein said coating comprises a plastic [having a surface roughness of $R_z \geq 5 \mu\text{m}$].
3. (Canceled)
7. (Canceled)
8. (Amended) The dish rack according to Claim 1, wherein said coating comprises at least one of plastic, [substantially] polyamide and polyamide.
9. (Amended) In combination, a [A] dishwasher apparatus comprising [the] a dish rack [of Claim 1] having a frame and a coating covering said frame and having a surface roughness of $R_z \geq 5 \mu\text{m}$.--

Please add new Claims 10-14 as follows:

--10. - 14. (New) --